

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 510**

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**Introduced by Assembly Member Bonnie Lowenthal**

February 15, 2011

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~~An act relating to health facilities.~~ *An act to amend Section 130070 of the Health and Safety Code, relating to health facilities.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 510, as amended, Bonnie Lowenthal. Hospitals: seismic safety.

*Existing law provides for the licensure of health facilities, including general acute care hospitals, by the State Department of Public Health.*

*Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, establishes, under the jurisdiction of the Office of Statewide Health Planning and Development, a program of seismic safety building standards for certain hospitals constructed on and after March 7, 1973. Existing law requires that, after January 1, 2008, any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life be used only for nonacute care hospital purposes, except that the office may grant specified extensions of that deadline, under prescribed circumstances.*

*Existing law requires, no later than January 1, 2030, owners of all acute care inpatient hospitals to either demolish, replace, or change to nonacute care use all hospital buildings not in substantial compliance with the regulations and standards developed by the office pursuant to existing seismic safety laws or seismically retrofit all acute care inpatient hospital buildings so that they are in substantial compliance. The office is required to notify the department of hospital owners that have been notified of a failure to comply with the above-described*

*deadlines. Unless the notified hospital places its license in voluntary suspense, the department is required to suspend or refuse to renew the hospital's license.*

*This bill would, instead, prohibit a hospital that receives the above-described notice from providing general acute care inpatient services in the noncompliant building. It would also require the department to suspend or refuse to renew the license of a hospital that does not provide basic general acute care services because of this bill's requirements.*

~~The Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 establishes, under the jurisdiction of the Office of Statewide Health Planning and Development, a program of seismic safety building standards for certain hospitals constructed on and after March 7, 1973.~~

~~This bill would provide that it is the intent of the Legislature to enact legislation that would amend the Alfred E. Alquist Seismic Safety Act of 1983.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 130070 of the Health and Safety Code is*  
 2     *amended to read:*  
 3     130070. The office shall notify the State Department of *Public*  
 4     *Health Services* of the hospital owners that have received a written  
 5     notice of violation for failure to comply with either Section 130060  
 6     or 130065. ~~Unless the hospital places its license in voluntary~~  
 7     *suspense, the state department shall suspend or refuse to renew*  
 8     ~~the license of a hospital that has received~~ *Notwithstanding Chapter*  
 9     *2 (commencing with Section 1250) of Division 2, upon receipt of*  
 10    a notice of violation from the office because of its failure to comply  
 11    with either Section 130060 or 130065, *a hospital shall not provide*  
 12    *general acute care inpatient services in the building that is the*  
 13    *subject of the notice of violation. The department shall suspend*  
 14    *or refuse to renew the license of a hospital that does not provide*  
 15    *basic general acute care services because of this section. The*  
 16    license shall be reinstated or renewed upon presentation to the  
 17    state department of a written notice of compliance issued by the  
 18    office.

1     ~~SECTION 1.—It is the intent of the Legislature to enact~~  
2     ~~legislation that would amend the Alfred E. Alquist Hospital Seismic~~  
3     ~~Safety Act of 1983 (Chapter 1 (commencing with Section 129675)~~  
4     ~~of Part 7 of Division 107 of the Health and Safety Code).~~

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